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REMARKS

Applicants acknowledge receipt of an Office Action dated March 30, 2004. In this response, Applicants have redrafted claims 2 and 3 in independent form. Claim 1 has been canceled without prejudice or disclaimer. In view of the cancellation of claim 1, Applicants have amended claim 9, which previously depended from claim 1, so that claim 9 now depends from claim 2. In addition, Applicants have added claim 17 which depends from claim 3 but is otherwise identical to claim 9. Following entry of these amendments, claims 2-17 are pending in the application.

Reconsideration of the present application is respectfully requested in view of the foregoing amendments and the remarks which follow.

Priority Claim

On the Office Action Summary accompanying the Office Action dated March 30, 2004, the PTO has acknowledged Applicants' claim for foreign priority but has indicated that none of the certified copies of the priority documents have been received. In reviewing the above-captioned application file, the undersigned has noted that a Claim for Convention Priority including a certified copy of Japanese Patent Application No. 2000-224642 on May 14, 2001. Applicants submit herewith (i) a copy of the Claim for Convention Priority, (ii) the cover page of the certified copy of Japanese Patent Application No. 2000-224642, and (iii) PTO-stamped postcard of May 14, 2001. Applicants respectfully request that the PTO acknowledge receipt of the certified copy of Applicants' priority document in its next communication.

Rejections Under 35 U.S.C. § 102(b)

On page 2 of the Office Action, the PTO has rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,649,517 to Poola *et al.* In this response, Applicants have cancelled claim 1, rendering the outstanding rejection under § 102 moot.

Allowable Subject Matter

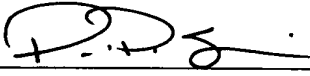
Applicants acknowledge, with appreciation, the PTO's indication that claims 11 -16 have been allowed. In addition, the PTO objected to claims 2-10 as being dependent upon a rejected base claim but noted that these claims would be allowable if redrafted in independent form. In this response, Applicants have redrafted claims 2 and 3 (which each previously depended from claim 1) in independent form. In addition, since claim 9 previously depended from claim 1, Applicants have amended claim 9 so that claim 9 now depends from claim 2 and have added claim 17 which depends from claim 3 but is otherwise identical to claim 9. In view of these amendments, Applicants submit that the objection to claims 2-10 is now moot.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that all of the pending claims are now in condition for allowance and that the application is now in *prima facie* allowable form. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

Date 6/29/04
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By 
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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.



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FOLEY & LARDNER

Attorney Docket No.: 061046/0120

Receipt is hereby acknowledged of the following:

APPLICANT: Toshiaki OOE et al.

SERIAL NO: 09/781,419

FILING DATE: February 13, 2001

FOR: NITROGEN OXIDE REDUCING SYSTEMS FOR DIESEL ENGINE AND
NITROGEN GAS GENERATING DEVICE

XX Submission of Small Entity Declaration and Request for Refund
XX Claim for Convention Priority and certified copy of priority document
XX Information Disclosure Statement/PTO-1449/one reference

XX File in Mailroom

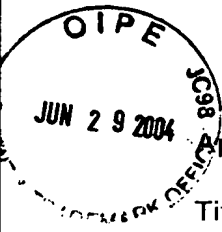
Due: May 13, 2001

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Return to: RLS/tv/jkb

Inspected by: gk





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Toshiaki OOE et al.

Title: NITROGEN OXIDE REDUCING
SYSTEM FOR DIESEL ENGINE
AND NITROGEN GAS
GENERATING DEVICE

Appl. No.: 09/781,419

Filing Date: February 13, 2001

Examiner: Unknown

Art Unit: 1764

CLAIM FOR CONVENTION PRIORITY

Commissioner for Patents
Washington, D.C. 20231

Sir:

The benefit of the filing date of the following prior foreign application filed in the following foreign country is hereby requested, and the right of priority provided in 35 U.S.C. § 119 is hereby claimed.

In support of this claim, filed herewith is a certified copy of said original foreign application:

- Japanese Patent Application No. 2000-224642 filed July 25, 2000.

Respectfully submitted,

Date: May 14, 2001

By _____

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日 本 国 特 許 庁

PATENT OFFICE
JAPANESE GOVERNMENT

別紙添付の書類に記載されている事項は下記の出願書類に記載されて
る事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed
in this Office.

出 願 年 月 日

Date of Application:

2000年 7月25日

願 番 号

Application Number:

特願2000-224642

願 人

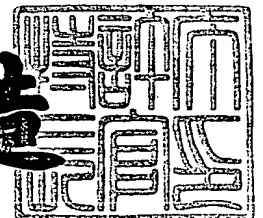
Applicant(s):

大江 敏明
飯間 孝則

2001年 4月13日

特許庁長官
Commissioner,
Patent Office

及 川 耕 造



出証番号 出証特2001-3028704